

**REMARKS**

Claims 1-12 and 14-29 were pending in the present application.

Claims 1-12 and 14-29 will be pending upon entry of the present amendment.

Claims 1-5, 16, 17, 21, 22, and 24 will have been amended herein.

Claims 1, 6, 12, 16, 18, 21 and 25 are independent.

**A. ALLOWABLE CLAIMS**

Applicant appreciates the Examiner's indication that Claims 6-12, 14-20 and 25-29 are allowed.

**B. SECTION 102 REJECTIONS**

Claims 1-2, 16-17, and 21-24 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application No. 2002/0173833 ("Korman").

Applicant has amended claim 1 to recite, among other things, "a laser light therapy device positioned outside of the hyperbaric chamber and adapted to expose the target tissue area of the patient to one or more doses of light energy while the target tissue area is within the hyperbaric chamber." Support for this amendment may be found in Applicant's Specification at least at Page 17, lines 11-12, Page 28, lines 5-20, and FIG. 7. Independent claims 16 and 21 recite similar features.

Korman, as read by Applicant, does not appear to show this claim feature. The violet/blue light source of Korman's FIG. 4 is not a "laser light therapy device" and further is not "positioned outside of the hyperbaric chamber" and cannot "expose the target tissue area of the patient to one or more doses of light energy while the target tissue area is within the hyperbaric chamber" as Korman does not disclose a hyperbaric

chamber. See Korman, FIG. 1, which shows a patient beneath "a mechanical arc shaped fixture 6 for holding and supporting the light source" (Korman, Para. [0086]). Korman's "arc shaped fixture" is not a hyperbaric chamber and Korman offers no information as to how it could be one.

Therefore, as Korman does not appear to show all claim features of independent claims 1, 16, and 21, it cannot anticipate the present invention. Dependent claims 2, 17, and 22-24 depend, respectively, from independent claims 1, 16, and 21 and inherit the features of these claims and are patentable for at least the same reasons. Accordingly, Applicant respectfully requests the Examiner reconsider and withdraw the Section 102 rejections.

#### C. SECTION 103 REJECTIONS

Claims 1-5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korman in view of U.S. Patent Application No. 2004/0068305 ("Bansal") and further in view of U.S. Patent No. 5,582,574 ("Cramer").

As explained above with respect to the Section 102 rejection, Korman does not appear to show "a laser light therapy device positioned outside of the hyperbaric chamber and adapted to expose the target tissue area of the patient to one or more doses of light energy while the target tissue area is within the hyperbaric chamber" as described in independent claim 1. Bansal and Cramer do not appear to correct the deficiencies of Korman, neither alone nor in combination. Bansal does not disclose a hyperbaric chamber or the use of a phototherapy system in a hyperbaric chamber. Cramer does not disclose "a laser light therapy device" nor does the reference provide any motivation to use any light therapy device with the hyperbaric chamber. Further, the Examiner provides no motivation to combine these

references without benefit of the present invention. The Examiner's suggestion that one of ordinary skill would be motivated to combine these references because Bansal suggests light therapy for treatment of hyperbilirubinemia (Office Action, Page 4, lines 1-4) does not hold as neither Korman nor Cramer discuss the use of either light therapy or a hyperbaric chamber as treatment for hyperbilirubinemia. The fact that an infant may have this disease and an infant may use the invention of Cramer is not motivation to combine these references.

Dependent claims 2-5 depend from independent claim 1, inherit the features of this claim, and are patentable for at least the same reasons. Accordingly, Applicant respectfully requests the Examiner reconsider and withdraw the Section 103 rejections.

#### D. CONCLUSION

The Applicant believes all of the claims are in condition for allowance, and respectfully requests reconsideration and allowance of the same.

The Applicant does not believe any fees are due. If any fees are required, however, please charge Deposit Account No. 04-1696. The Applicant does not believe a petition for extension of time is required however, if such a petition is required, Applicant respectfully requests that this sentence be regarded as such a petition and that the Commissioner charge Deposit Account No. 04-1696 the requisite petition fee.

The Applicant encourages the Examiner to telephone the Applicants' attorney should any issues remain.

Respectfully Submitted,



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